

Attorney Docket No.: F7713(V)
Serial No.: 10/613,483
Filed: July 3, 2003
Confirmation No.: 5958

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

Claims 14-18 were cancelled in a serious effort to expedite the prosecution of the application. The claims continue to be rejected over Maxwell, U.S. 6,063,432 in light of various secondary references. Maxwell is cited by the Examiner as teaching nuggets of soy protein. Specifically, the Examiner cited the secondary reference to Jones as teaching that soy nuts are made out of soy beans and the Examiner took soy nuts to be equivalent to applicants' nuggets based on size. The Examiner then interpreted Maxwell as teaching "soy grits and soy nuts primarily comprised of soy proteins (i.e. close to 100% protein)". See page 3 of the Office Action. Applicants note that the Examiner has also listed soy protein isolates in that sentence. Soy protein isolates, of course, is not taught in the form of any nuggets. So, it is only soy grits and soy nuts in that disclosure by Maxwell that are potentially relevant. Applicants enclose for the Examiner's interest a reference about the protein content of soy nuts -- 35.2%. Also enclosed is a reference that soy grits are soy beans which have been toasted and crafted into small pieces. So, soy grits and soy nuts both have a protein content of about 35%, not "100% protein" as assumed by the Examiner. Applicants' claims require nuggets comprising at least 50% soy or rice protein. None of the secondary references cited by the Examiner to support the rejection of the dependent claims remedies the shortcoming of Maxwell. Consequently, it is respectfully submitted that the Examiner has not made out a *prima facie* case of obviousness based on the primary reference of Maxwell.

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In light of the above amendments and remarks, it is respectfully requested that the rejections based on Maxwell be reconsidered and withdrawn application be allowed to issue.

Applicants respectfully request the Examiner's acknowledgement of documents submitted concurrently herewith a Second Supplemental Information Disclosure Statement.

If a telephone conversation would be of assistance in advancing the prosecution of the present application, applicants' undersigned attorney kindly requests the Examiner to telephone at the number provided.

Respectfully submitted,


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Fatty acids, poly-unsaturated	14.3 g
Carbohydrates	33.6 g
Fiber	17.7 g
Ash	3.9 g
Isoflavones	200 mg
Calcium, Ca	138 mg
Iron, Fe	3.9 mg
Magnesium, Mg	145 mg
Phosphorus, P	363 mg
Potassium, K	1470 mg
Sodium, Na	163 mg
Zinc, Zn	3.14 mg
Copper, Cu	0.8 mg
Manganese, Mn	2.2 mg
Selenium, Se	19.1 µg
Vitamin C (ascorbic acid)	2.2 mg
Thiamin (vitamin B1)	0.1 mg
Riboflavin (vitamin B2)	0.145 mg
Niacin (vitamin B3)	1.41 mg
Panthotenic acid (vitamin B5)	0.45 mg
Vitamin B6	0.21 mg
Folic acid	211 µg
Vitamin B12	0.0 µg
Vitamin A	200 IU
Vitamin E	0.91 mg

[Source: USDA Nutrient Database for Standard Reference]

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Soy Grits



Soy Grits are soybeans which have been toasted and cracked into small pieces. Soy Grits are a popular high-protein, low-carb alternative to yellow and white (hominy) corn grits.

NOW soy grits are free of genetically modified organisms (non-GE or GMO Free).

Soy Grits can be used in place of rice or as a breakfast cereal. To cook, add 1/4 cup grits to 3/4 cup boiling water and simmer for 3 minutes. Add salt as desired.

Research has shown soy products to be an excellent addition to any diet. Eastern cultures have traditionally consumed diets high in soy content, and the incidence of certain diseases have been significantly lower in Eastern cultures. Western cultures, which consume diets high in animal fats, appear to have higher incidences of certain diseases, as well as obesity. Although research is ongoing, scientists believe the isoflavone content of natural soy may be responsible for its health benefits. In fact, the FDA has approved a statement to be used in the labeling of qualified soy products: "25 grams of soy protein a day, as part of a diet low in saturated fat and cholesterol, may reduce the risk of heart disease."

Calculating the isoflavone content of any Soy product is fairly simple. Generally speaking, there are 2 mg of soy isoflavones per gram of Soy Protein. Take the protein content of a Soy product from NOW® and multiply it by two, then convert to milligrams.

Add	To	Item ID	Product	Unit	List	Our
Cart				Size	Price	Price
		153-0313	NOW Soy Grits	28	Not available	
			<small>12 oz (340g)</small>	—	<small>for sale</small>	